

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.9707 of 2015

Arising out of PS.Case No. -230 Year- 2014 Thana -LAHERIMUHALLA District- NALANDA  
(BIHARSHARIFF)

Sunil Kumar Singh @ Sunil Kumar, Son of Raghu Nandan Prasad @ Khan  
Saheb, resident of Mohalla - Naisarai, P.S.- Bihar, District- Nalanda.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

with

Criminal Miscellaneous No.19975 of 2015

Arising out of PS.Case No. -230 Year- 2014 Thana -LAHERIMUHALLA District- NALANDA  
(BIHARSHARIFF)

Md. Murtaza, Son of Late Abdul Gafoor, resident of Mohala- Khankah,  
Balki katra, Police Station- Laheri , District- Nalanda.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :  
(In Cr.Misc. No.9707 of 2015)

For the Petitioner : Mr. Dhananjay Kumar Tiwary,  
Advocate.

For the Informant : Mr. Ajay Kr. Thakur, Advocate.

For the State : Mr. Suman Kri.Singh(App)

(In Cr.Misc. No.19975 of 2015)

For the Petitioner : Mr. Sanjay Singh, Advpcate.

For the Informant : Mr. Ajay Kr. Thakur, Advocate.

For the State : Mr. Abhay Kumar Rai (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA  
ORAL ORDER

3 22-05-2015 Heard both sides.

The petitioners seek bail in Laheri P.S. Case No. 230 of  
2014 registered under Section 302/34 of the I.P.C. and 27 of the

Arms Act.

The son of the deceased made specific allegation that the petitioners intercepted the deceased near Jiwan Jyoti Hospital and made indiscriminate firing. The petitioner Sunil Kumar Singh @ Sunil Kumar fired in the chest, Rocky also fired in the chest, petitioner Md. Murtaza fired in the abdomen and Sudam Kewat fired which hit in the hand of the deceased.

Learned counsel for the petitioners submits that the occurrence took place at 5.00 in the morning and at 9.45 A.M. the police arrived at the place of occurrence but no body gave information about the occurrence. The informant does not appear to be an eye witness of the occurrence. It is further submitted that the petitioner Md. Murtaza is said to have fired at the abdomen of the deceased but no injury at abdomen was found. The F.S.L. report shows that only three arms were used but four persons are said to have fired.

On the other hand, learned counsel for the informant submitted that there is no inconsistency in the ocular and the medical evidence as well as the F.S.L. report.

There appears that there is very specific allegation against the petitioners Sunil Kumar Singh @ Sunil Kumar and Md. Murtaza that both fired which hit the deceased and four entry

wound were found on the body of the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on bail. Accordingly, prayer for bail of the petitioners is rejected in Laheri P.S. Case No. 230 of 2014, pending in the court of the learned C.J.M. Nalanda at Biharshariff. The Trial Court is directed to expedite the trial and conclude the same within one year.

U.K./-

**(Prabhat Kumar Jha, J)**

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